IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N. RAMACHANDRAN NAIR

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

WP(C).No. 18220 of 2007(R)

PETITIONER:

ASHRAF, S/O.KUNHIRAYIN, AGED 34 YEARS,
NELLIPARAMBATH HOUSE, KALARANTHIRI DESOM.
VAVAD AMSOM, KOZHIKODE.

BY ADV. SRI. NIRMAL. S

RESPONDENTS:
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1. **ASSISTANT EXECUTIVE ENGINEER,**
   KERALA STATE ELECTRICITY BOARD, THAMARASSERI.

2. **ASSISTANT ENGINEER,**
   KERALA STATE ELECTICITY BOARD, KODUVALLY.

3. **K. USSAIN, MELETHODUKAYIL,**
   KALARANTHIRI AMSOM, VAVAD DESOM, KODUVALLY,
   KOZHIKODE DISTRICT.

   BY ADV. SRI. P.P. THAJUDEEN, SC, K.S.E.B

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 18220 of 2007(R)

A P P E N D I X

PETITIONER'S EXHIBITS:

EXT. P1	**:**	**COPY OF LAWYER NOTICE DATED 29.09.2006 SENT BY PETITIONER TO THE 2ND RESPONDENT.**
EXT. P2	**:**	**COPY OF LAWYER NOTICE DATED 26.05.2007 ALONG WITH THE POSTAL RECEIPTS SENT BY PETITIONER TO 2ND RESPONDENT.**

// True Copy //

P.A. to Judge.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 18220 of 2007

Dated, this the 10th day of July, 2007

J U D G M E N T

This writ petition is filed on the apprehension that petitioner's claim over the road or pathway is affected by drawl of electric line for giving connection to the beneficiary. From the sketch produced by the learned Standing Counsel for the K.S.E.B., it is seen that the connection is proposed to beneficiary from an electric post, wherefrom petitioner himself has taken connection to his house. The line drawn from that post is passing only over the road. In the circumstances, petitioner cannot have any grievance against the connection given from an existing post by drawing of line over the road or pathway. This writ petition is, therefore, disposed of upholding the order of the ADM directing respondents 1 and 2 to give connection to the beneficiary. However, it is made clear that petitioner's right over the road or pathway is not affected by the electric connection given to the 3rd respondent.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg